

THE HIGH COURT OF UTTRANCHAL AT NAINITAL.

Civil Writ Petition (M/S) No. 1340 of 2006

Ajay Kumar Goyal, S/O Shri Susheel Kumar Goyal, R/O 49, Kanwanli Road, Dehradun, presently B-4, P.W.D. Quarters, Idgaah Colony, Dehradun.

... **Petitioner.**

Versus

1. Principal Judge, Family Court, Dehradun.
2. Smt. Alka Goyal, W/O Shri Ajay Kumar Goyal, D/O Late Jay Prakash Gupta, R/O 8/25 Purushottam Das Tandan Marg, Laxman Chauk, Dehradun.

... **Respondents.**

Sri Deepak Sharma holding brief of Mrs. Meenu Sharma, learned counsel for the petitioner.

Smt. Seema Sirohi, Brief Holder of the State-respondent no.1.

Dated September 18, 2006.

Hon'ble B.S. Verma, J.

Heard. Learned counsel for the petitioner filed Supplementary Affidavit. Taken on record.

The only prayer made in this writ petition by the petitioner is for a direction to the Judge Family Court, Dehradun-respondent no.1 to decide the Civil/Original Suit No. 140 of 2002, Ajay Kumar Goyal Vs. Alka Goyal expeditiously, with the allegation that the marriage between the parties took place according to the Hindu rites and rituals on 11.12.1981 and the parties lived together till the year 2000 and one son Nishank Goyal was born out of their wedlock in the year 1983. It has been alleged that the respondent-wife started treating the petitioner with cruelty, which ultimately gave rise to a petition under Section 13 of the Hindu Marriage Act, which was initially filed in the year 2001 and subsequently it was transferred to the Family Court and was registered as Case No. 140 of 2002. The respondent no.2 put in appearance on 25.4.2001 and sought time for filing written statement and since then the respondent no.2 is adopting delay tactics and has been taking adjournments on one pretext or the other

so as to prolong the litigation. By way of supplementary affidavit the petitioner has filed the copy of the entire order-sheet of the case.

Considering the facts and circumstances of the case especially the fact that the case is pending since the year 2001 and the material placed on record, direction for expeditious disposal need to be issued to the respondent no. 1.

The Principal Judge, Family Court, Dehradun, is directed to decide the Case No. 140 of 2002, Ajay Kumar Goyal Vs. Smt. Alka Goyal, under Section 13 of the Hindu Marriage Act, pending disposal before him, expeditiously preferably within a period of six months from today as far as possible.

With the above direction, the writ petition is disposed of finally.

(B.S. Verma, J.)

18-09-2006.
RCP